

Sheringham Shoal Extension Project and Dudgeon Extension Project (SEP/DEP)

Close of Phase 2 Consultation: June 10th 2021

Section 42 of the Planning Act 2008 and Regulations 11 and 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

Dear Sir or Madam,

I am writing today to submit a response to the Phase 2 consultation regarding the above project.

This submission is on behalf of the 31 Parish Councils in Norfolk, listed below, who joined together in February 2019 to promote the rapid evolution of an Offshore Transmission Network (OTN) for offshore wind farms, and resist the unnecessary destruction of the onshore environment by long inland cable trenching and substations.

At the outset, we would like to point out that these Parish Councils represent the interests of well over 20,000 electors who, living in rural communities up and down the cable corridors of potentially 4 offshore wind farms, will – along with their children – experience the degradation of their quality of life and their health as a result of the noise, vibration and emissions produced by the construction traffic for a period of up to 10 years should this project, and the others, go ahead. There will also be significant and *permanent* adverse impacts caused by the infrastructure necessary at both the landfall and grid connection sites.

Before proceeding to the main substance, we are obliged to draw attention to two issues relating to the conduct of the consultation process itself:

1) It has emerged that Equinor has only contacted those PCs who are within 1000 metres of the proposed cable corridor. When challenged on this during a webinar, the team replied that this was on the advice of one District Council. Had they sought the advice of all three District Councils affected – and the County Council – they might have been advised to cast the net of the consultation much wider. They also failed to involve the Norfolk Association of Local Councils, who hold a database of 500+ Parish and Town Councils in Norfolk, and who would have assisted them in this endeavour. This failure has severely restricted the involvement in the consultation process of a significant proportion of the population of Norfolk who will be adversely impacted by this project.

This is not a trivial matter. SEP/DEP is the *fourth* in this current series of NSIP projects, affecting Norfolk, to go through planning. The first three have already undergone their 6-month forensic public examinations and so the details of the adverse environmental impacts of those projects are now *entirely established and known*. It is therefore absolutely incumbent on Equinor to gather all available evidence and assess the cumulative impacts of their project, when added to the other three, *with the utmost thoroughness*. Nothing less will suffice.

This failure at the outset to cast the net of consultation wider is therefore of great significance and has compromised already the validity of the phase 2 consultation.

2) On 26th May, Cawston and Oulton Parish Councils requested an urgent online meeting with Equinor – before the close of the consultation on June 10th – on behalf of 7 parish councils clustered around the central crossover point of maximum impacts from the cable corridors of all 4 NSIP projects. This request was granted and a date was agreed for the afternoon of Monday June 7th. Late on Friday June 4th, Equinor suddenly issued a request for more detailed questions to be submitted – which were supplied by councillors, working over the weekend. In the event, the meeting *never materialised* and councillors were left waiting for the entire afternoon on Monday, to no purpose. Parish councillors are shocked at the apparent lack of respect that this incident seems to demonstrate and are also very frustrated that they were not able to receive answers to their questions in time for this information to inform their submissions to the close of consultation.

The above defects in the consultation process need to be addressed in a meaningful way and not simply brushed aside.

Turning now to the substance of this submission:

At the close of this Phase 2 consultation, our joint position is as follows:

There is now an overriding case for Equinor to re-consider the *onshore* aspects of this proposal, to take into account a material change in circumstances represented by the dramatic and substantive evolution of government policy over the past year, and fast-moving developments in the wind energy sector overall.

These developments can and should no longer be ignored or side-stepped by Equinor.

On July 14th 2020 the Secretary of State for Business Energy and Industrial Strategy (BEIS) announced the Offshore Transmission Network Review (OTNR) and charged it to proceed as a matter of urgency.

On 17th December 2020, both the Dept. for BEIS and NGESO hosted webinars in which they presented the equivalent of an interim report on the work of the OTN Review, which is clearly proceeding at pace. Both webinars laid out in graphic detail the compelling arguments for the urgent planning and implementation of a coordinated offshore transmission network (OTN) to join all offshore wind farms in the southern North Sea to the UK grid.

The SEP/DEP proposal now represents an anomaly within this framework of policy thinking, and has been overtaken by events. Equinor's current point-to-point onshore grid connection would maroon these wind farms from such a network and would result in both *a sub-optimal use of their energy output* for the next 40 years and *an unjustifiable extra cost to the consumer* in terms of unnecessary constraint payments.

We note that the introduction to the “Offshore Coordination Project” document, published by National Grid ESO on 30th September 2020 states:

“...the greatest benefits will be seen from taking forward an integrated approach from as early as possible. Our analysis assumes that there is a level of integration between 2025 and 2030, and this is what would be an ideal scenario to deliver maximum integration. we appreciate there may be appetite from some

developers for a voluntary opt-in approach and would welcome discussions on this in relation to ESO processes. BEIS and Ofgem would also welcome conversations on this, as invited in their recent open letter.”

Similarly, on p. 80 of the government’s Energy White Paper, published on 14th December 2020, the following statement appears:

“In order to start delivering these benefits, we will encourage projects already in development, where early opportunities for coordination exist, to consider becoming pathfinder projects.

It is clear from the above that the government wishes actively to encourage *and enable* projects like SEP/DEP to become pathfinder projects and expedite the development of an OTN. The roadmap for this is being increasingly set out by the OTN Review, and although any particular developer is not legally forced to follow it, they will prove themselves to be on the wrong side of history if they fail to respond to the power of this invitation.

Equinor is fond of proclaiming about the SEP/DEP project – using merely the *vocabulary* of the Offshore Coordination Project – that they are “already” a pathfinder project, because they are developing the Sheringham and Dudgeon wind farms together. That claim is disingenuous and deliberately misleading. It is obvious to any layperson that given their close proximity to each other and to the coast, it would be commercial and engineering madness *not* to extend the two wind farms together. It is simply pragmatic. That decision would have been made anyway, and has nothing to do with a proactive engagement with the evolution of an OTN, in which Equinor seems currently to be shockingly uninterested.

In light of all of the above, we wish to state our serious concerns as to the limited scope of Equinor’s ambition, as evidenced in this SEP/DEP proposal. It would appear that the company is reluctant to participate actively in expediting the evolution of an OTN, in collaboration with all other offshore wind farm developers, BEIS, NGESO and Ofgem.

We recommend that Equinor should in fact proceed as follows:

1. This proposal should be withdrawn in its current onshore configuration.
2. Urgent consideration should be given, in consultation with BEIS and National Grid, to an alternative method of connecting this project to the UK grid offshore, in light of the fast-moving work of the Offshore Transmission Network Review.
3. Should this process conclude that a problem is presented by the relative closeness to shore of the SEP/DEP projects, then we suggest that consideration be given to connecting the projects via an offshore seabed export cable to the existing Walpole substation near King’s Lynn. Equinor will be aware that this option has been considered before for another project, and it can be considered again.
4. Alternatively, we recommend that Equinor de-couples the offshore and onshore elements of its current proposal from each other, and submits at this stage for a DCO *for the offshore element of the project alone*. This would buy time for the grid connection issue to be resolved within the framework of the evolution of an OTN.

We would point out that a split at this stage, in planning terms, between the offshore and onshore elements of the proposal is not an outlandish suggestion. On the

contrary, it was promoted by Dr. Therese Coffey, MP for Suffolk Coastal and a member of Cabinet, during a PINS hearing for the East Anglia One North/East Anglia Two public examination as recently as 28th May 2021, in the following terms:

The Applicant therefore has “...opportunities to integrate within the existing regime, and to engage with the BEIS Review as a pathfinder project or similar. Ensuring this happens now would negate the need for cable corridors to be dug and re-dug, with every future wind farm project attempting to connect to the grid here on the Suffolk coast. This is why I previously backed a split decision (her emphasis) which would enable an alternative grid connection to be identified that is actually in line with the government's emerging environmental and wind energy policy, by ensuring the onshore infrastructure minimises environmental and community damage.

And while not holding up the overall project, it would give the Applicant sufficient time to really look at the alternatives such as at Bradwell, and Bramford.... and a comprehensive justification I made for that in writing at Deadline 10, demonstrating the technology is available now. In short, for the Applicant's proposals to adhere to the emerging government policy of greater offshore coordination to protect our environment.

This has been backed again at the very highest level in Parliament just in the last month. And so the onshore aspects of these projects must be rejected, in my view, in favour of a grid connection which offers the capacity to integrate multiple projects without having a devastating impact on local communities and our precious landscapes.”

The statement above from Dr. Coffey comes from a senior member of the government. Whilst referring to Suffolk, its contents are *directly relevant also to Norfolk* and should be ignored by Equinor at its peril.

Finally, this submission began with a reference to the cumulative impacts on the environment and communities of Norfolk, in the event that the 4 major wind farms currently in or approaching planning go ahead.

During this consultation process the terms “cumulative impact” and “mitigation” have been so over-used in webinar discussions that they have become almost meaningless. Promises of the latter, as ‘solutions’ to the former have been trotted out endlessly, as if every impact is capable of being rendered negligible and therefore acceptable. But of course this is not the case, and it would be disingenuous of Equinor to claim otherwise.

The SEP/DEP project is in the unfortunate position, in planning terms, of being the *fourth* in this current series of major proposals. Public understanding of the true costs of the onshore elements of these plans is now widespread. The concept of cumulative impact is no longer theoretical – it has been grasped by communities throughout Norfolk in all its gory detail.

Many cumulative impacts of these projects have already been demonstrated by the prior public examinations of Hornsea Three, Norfolk Vanguard and Norfolk Boreas to be **intractable**, and have had to be allowed by the ExAs to enter the close of the examination process **unresolved**.

It defies logic therefore that a fourth project could possibly be added to this toxic mix, with any confidence that its additional cumulative impacts could be mitigated away. They simply cannot.

In this regard, close attention needs to be paid to Mr Justice Holgate's ruling in the recent case in the High Court of *Pearce v. The Secretary of State*. The whole case revolved around the legalities of what constitutes a *proper* consideration of cumulative impacts.

In his ruling in that case, Justice Holgate states at para 133:

"If the cumulative impacts in the Necton area had been evaluated when considering the application for the Vanguard DCO, one possible outcome is that they would have been found to be unacceptable."

In other words, had these cumulative effects been *properly* considered, it might have made a material difference to the outcome of the whole decision-making process.

In addition, Justice Holgate states at para 174:

"It is not too difficult to think of a fundamental error affecting the application process from the outset, which would therefore require the matter to be rewound to the beginning, notwithstanding rule 20 of the 2010 Rules."

It is our contention that a failure by Equinor to respond appropriately to the recent developments in government policy, by persisting with an inland grid connection and refusing to engage fully with the development of an OTN, could constitute exactly such a "fundamental error" in their SEP/DEP application for a DCO.

In conclusion:

There is a climate emergency. The government and people of the UK urgently need the renewable energy that the offshore wind sector can produce. Equinor needs now to rise above narrow consideration only of its own commercial interest, and meet instead the global challenge of producing this energy in the most efficient way possible – starting now.

Yours faithfully,

Alison Shaw

Oulton Parish Councillor

-and on behalf of the 31 Norfolk Parish Councils listed below:

Oulton PC
Edgefield PC
Corpusty and Saxthorpe PC
Wood Dalling PC
Cawston PC
Salle PC
Heydon Parish Meeting
Kelling PC
High Kelling PC
Weston Longville PC
Barford with Wrampingham PC
Mulbarton PC

Swardeston PC
Happisburgh PC
Ingworth PC
Bradenham PC
Holme Hale PC
Necton PC
Weybourne PC
Blickling PC
Aylsham Town Council
Fransham PC
East Ruston PC
Swannington, with Alderford & Lt. Witchingham PC
Garvestone, Reymersdon and Thuxton PC
Great Melton PC
Brandiston Parish Meeting
Plumstead PC
Brampton with Oxhead PC
Beeston Regis PC
Morston PC
